



Patent  
Attorney Docket No.: 272/168

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: ) Group Art Unit: 1742  
William J. KOHR et al. ) Examiner: Tima M. McGuthry-Banks  
Serial No.: 10/086,647 )  
Filed: February 28, 2002 )  
For: HIGH TEMPERATURE HEAP )  
BIOLEACHING PROCESS )

7/26/03  
03/21/03

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RESPONSE TO OFFICE ACTION

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The present paper is responsive to the August 30, 2002 Office Action in the above-identified application. Applicant has petitioned for a three (3) month extension of time, hereby extending the deadline for responding to the Office Action to February 28, 2003.

In the outstanding Office Action, claims 1-22 and 27 of the present application stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-33 of U.S. Patent No. 6,110,253. In response to the double patenting rejection, and without admitting the propriety of the rejection, the assignee, GeoBiotics, LLC, is filing herewith a terminal disclaimer over U.S. Patent No. 6,110,253.

03/10/2003 NM0HMM1 00000064 501432 10086647

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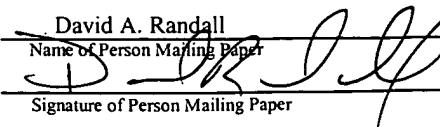
CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231.

February 28, 2003

Date of Deposit

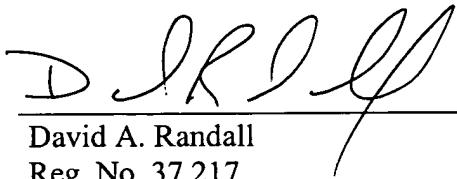
LAI-2034439v1

David A. Randall  
Name of Person Mailing Paper  
  
Signature of Person Mailing Paper

In view of the foregoing, reconsideration and allowance of this application are earnestly solicited.

Respectfully submitted,

**JONES DAY**

By:   
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Dated: February 28, 2003

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